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ORDINANCE NO. 2015-16

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL PROPOSING AMENDMENTS TO WELLINGTON'S MUNICIPAL CHARTER BY CREATING A NEW SECTION 4 ENTITLED "EQUESTRIAN PRESERVE AREA" TO FORMALLY RECOGNIZE THE IMPORTANCE OF THE EQUESTRIAN COMMUNITY, TO PRESERVE AND PROTECT THE EQUESTRIAN COMMUNITY AS OUTLINED IN THE VILLAGE'S COMPREHENSIVE PLAN, AND TO REQUIRE THREE AFFIRMATIVE VOTES TO ADD PARCELS TO THE EQUESTRIAN PRESERVE AREA AND NOT LESS THAN FOUR AFFIRMATIVE VOTES TO REMOVE PARCELS FROM THE EQUESTRIAN PRESERVE AREA; RENUMBERING THE REMAINING SECTIONS OF THE CHARTER; PROVIDING FOR THE SUBMISSION OF THE PROPOSED CHARTER AMENDMENT TO THE ELECTORS OF WELLINGTON AT THE ELECTION TO BE HELD ON MARCH 15, 2016; PROVIDING FOR FILING WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR PUBLICATION; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, Section 166.031, Florida Statutes, provides that the governing body of a municipality may, by ordinance, submit to the electors of the municipality a proposed amendment to the municipality's charter; and

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WHEREAS, the original charter makes no reference to the Equestrian Preserve Area; and

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WHEREAS, the proposed amendment would formally recognize the importance of Wellington's equestrian community, preserve and protect the equestrian community as outlined in the Village's Comprehensive Plan; and

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WHEREAS, Wellington's Council deems it necessary and advisable for the voters of Wellington to consider amending the charter of the Village of Wellington to formally recognize the importance of Wellington's equestrian community, preserve and protect the equestrian community as outlined in the Village's Comprehensive Plan, and to require three affirmative votes to add parcels to the Equestrian Preserve Area and not less than four affirmative votes to remove parcels from the Equestrian Preserve Area; and

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NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA:

1 **SECTION 1: A new Section 4, "Equestrian Preserve Area" is hereby**
2 **proposed to be added as follows:**

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4 * * *

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6 **Section 4. Equestrian Preserve Area.**

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8 Expanding on the legislative intent at incorporation that the unique characteristics
9 of individual communities be preserved and recognizing the importance of Wellington's
10 equestrian community to the vitality of Wellington, it shall be a village priority to preserve
11 and protect the equestrian community as outlined in the village's comprehensive plan.
12 Accordingly, the village may increase the boundaries of the Equestrian Preserve Area
13 by majority vote, but may not contract the boundaries except by affirmative vote of not
14 less than four members of council.

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16 **SECTION 2.** The charter amendment proposed by this ordinance shall be
17 submitted to the electors of the Village of Wellington at the election to be held on March
18 15, 2016 and shall be deemed adopted upon the favorable vote of a majority of the
19 electors voting at that time upon the following question:

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21 **REFERENDUM QUESTION NO. _____**

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23 **WELLINGTON CHARTER AMENDMENT**

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25 **INCLUSION OF THE EQUESTRIAN PRESERVE AREA WITHIN THE CHARTER**

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28 **Shall the Charter be amended to include a provision**
29 **protecting the Equestrian Preserve Area?**

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31 ___ **Yes**

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33 ___ **No**

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35 **SECTION 3.** In the event of adoption by the electorate as provided herein,
36 Wellington's Clerk shall forthwith incorporate the amendment into Wellington's charter
37 by preparing a true copy of new section 4 as amended, and shall file the revised section
38 with the Florida Department of State, at which time the revised section shall take effect.

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40 **SECTION 4.** Wellington's Clerk shall cause this ordinance to be published once
41 a week for four consecutive weeks immediately prior to the election on March 15, 2016.

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43 **SECTION 5.** Should any section, paragraph, sentence, clause, or phrase of this
44 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington
45 Ordinance, Resolution, or Municipal Code provision; then in that event the provisions of
46 this Ordinance shall prevail to the extent of such conflict.

1 **SECTION 6:** Should any section, paragraph, sentence, clause, or phrase of this
2 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision
3 shall not affect the validity of this Ordinance as a whole or any portion or part
4 thereof, other than the part so declared to be invalid.
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6 **SECTION 7:** This Ordinance shall become effective immediately upon adoption
7 of the Wellington Council following second reading.
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9 **PASSED** this 27th day of October, 2015 upon first reading.
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11 **PASSED AND ADOPTED** this 10th day of November, 2015, on second and final
12 reading.
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15 **WELLINGTON**

	FOR	AGAINST
16 BY: <u>Bob Margolis</u>	<u>✓</u>	<u> </u>
17 Bob Margolis, Mayor		
18 <u>John Greene</u>	<u>✓</u>	<u> </u>
19 John Greene, Vice Mayor		
20 <u>Matt Willhite</u>	<u>✓</u>	<u> </u>
21 Matt Willhite, Councilman		
22 <u>Anne Gerwig</u>	<u>✓</u>	<u> </u>
23 Anne Gerwig, Councilwoman		
24 <u>John P. McGovern</u>	<u>✓</u>	<u> </u>
25 John McGovern, Councilman		

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28 **ATTEST:**

29 BY: Awilda Rodriguez
30 Awilda Rodriguez, Clerk
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34 **APPROVED AS TO FORM AND**
35 **LEGAL SUFFICIENCY**

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37 BY: Laurie S. Cohen
38 Laurie S. Cohen, Village Attorney
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